

U.S.A. vs

Felipe Ernesto Hernandez

No.

08CR0749-BEN

The Court finds excludable delay, under the section indicated by check (✓),

commenced on

3-27-08

and ended on

6-16-08

17, XT1

and ended on

3161(h)

\_\_\_(1)(A)

Exam or hrg for mental or physical incapacity

\_\_\_(1)(B)

NARA examination (28:2902)

\_\_\_(1)(D)

State or Federal trials or other charges pending

\_\_\_(1)(E)

Interlocutory appeals

\_\_\_(1)(F)

Pretrial motions (from flg to hrg or other prompt dispo)

\_\_\_(1)(G)

Transfers from other district (per FRCrP 20, 21 & 40)

\_\_\_(1)(J)

Proceedings under advisement not to exceed thirty days

\_\_\_

Misc proc: Parole or prob rev, deportation, extradition

\_\_\_(1)(H)

Transportation from another district or to/from examination or hospitalization in ten days or less

X (1)(I)

Consideration by Court of proposed plea agreement

\_\_\_(2)

Prosecution deferred by mutual agreement

\_\_\_(3)(A)(B)

Unavailability of defendant or essential witness

\_\_\_(4)

Period of mental or physical incompetence of defendant to stand trial

\_\_\_(5)

Period of NARA commitment or treatment

\_\_\_(6)

Superseding indictment and/or new charges

\_\_\_(7)

Defendant awaiting trial of co-defendant when no severance has been granted

\_\_\_(8)(A)(B)

Continuances granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance

\_\_\_(8)(B)(I)

1) Failure to grant a continuance in the proceeding would result in a miscarriage of justice and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. (Continuance - miscarriage of justice)

X 2) Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. (Continuance - tendered a guilty plea)

\_\_\_(8)(B)(ii) 2) Case unusual or complex

\_\_\_(8)(B)(iii) 3) Indictment following arrest cannot be filed in thirty (30) days

\_\_\_(8)(B)(iv) 4) Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare (Continuance re counsel)

\_\_\_3161(I) Time up to withdrawal of guilty plea

\_\_\_3161(b) Grand jury indictment time extended thirty (30) more days

Date 3-27-08

CAB  
Judge's Initials

A

B

C

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T1

T2

T3

T4

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W